

Receipt date: 07/19/2006

10/586651 0586651 IAU: 2829

IAP6 Rec'd PCT/PTO 19 JUL 2006

Customer No. 22,852  
Attorney Docket No. 07553.0064

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Hisatomi HOSAKA )  
Application No.: Not Yet Assigned ) Group Art Unit:  
Filed: July 19, 2006 ) Examiner:  
For: **PROBE GUARD** )

**U.S. NATIONAL PHASE OF INTERNATIONAL APPLICATION NO.  
PCT/JP2005/000657**

**MAILSTOP PCT**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. Copies of the listed foreign patent documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.C./

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The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. Japanese Patent Application No. JP 2004-14845.
2. Japanese Patent Application No. JP 2000-67953. The relevance of this document is discussed at page 3 of the specification of the present application.

3. Japanese Patent Application No. JP 2003-324132.

4. Japanese Patent Application No. JP 2002-134570.

5. Japanese Patent Application No. JP 2004-77153.

An English-language translation of documents 1-5 is attached.

6. Japanese Patent Application No. JP 2003-506686

In lieu of a statement of relevance or the translation of the non-English document No. 6, enclosed is an English-language international search report from the Japanese Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing this document and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take

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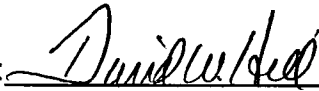
appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 19, 2006

By:   
David W. Hill  
Reg. No. 28,220

Enclosures  
DWH/FPD/rac

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JAP3 Rec'd PCT/PTO 19 JUL 2006 10586651 GAU: 2829

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	40/586651		
		Filing Date	July 19, 2006		
		First Named Inventor	Hisatomi HOSAKA		
		Art Unit			
		Examiner Name			
Sheet	1	of	1	Attorney Docket Number	07553.0064

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		JP 2004-14845	01-15-2004	SHIRAISHI		YES
		JP 2000-67953	03-03-2000	KHANDROS, ET AL.		YES
		JP 2003-324132	11-14-2003	MITSUNE, ET AL.		YES
		JP 2002-134570	05-10-2002	OKUBO, ET AL.		YES
		JP 2004-77153	03-11-2004	MORI		YES
		EP 1 391 738 A2	02-25-2004	MORI		
		WO 01/09623 A1	02-08-2001	MOK, ET AL.		
		JP 2003-506686	02-18-2003	NANONEXUS, INC.		NO

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>

Examiner Signature	/Emily Chan/	Date Considered	03/14/2009
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.C./